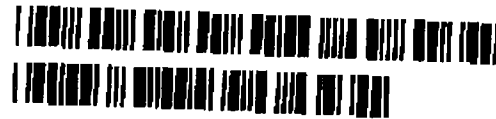


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MAR 10 2006

AT SEATTLE  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
DEPUTY  
BY

THE HONORABLE MARSHA J. PECHMAN



04-CV-00360-ORD

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

COSTCO WHOLESALE CORPORATION, a  
Washington corporation,

Plaintiff,

v.

ROGER HOEN, et al.,

Defendants.

NO. CV04-0360P

PRETRIAL ORDER [~~PROPOSED~~]

Plaintiff Costco Wholesale Corporation ("Costco"); defendants Roger Hoen, Vera Ing, and Merritt Long, in their official capacities as members of the Washington State Liquor Control Board (collectively "LCB Defendants"); and Intervenor Defendant Washington Beer and Wine Wholesalers Association ("WBWWA") submit this Pretrial Order in accordance with Western District of Washington Civil Rule 16.1.

I. JURISDICTION

This action arises under 15 U.S.C. §§ 15 and 26; 28 U.S.C. §§ 2201 and 2202; and 42 U.S.C. §§ 1983 and 1988. The Court has jurisdiction under 28 U.S.C. §§ 1331, 1337, 1367, 2201, and 2202.

## II. CLAIMS AND DEFENSES

As a result of the Court's summary judgment rulings of December 21, 2005 and March 7, 2006, it has been determined pursuant to Rule 56(d) that the following portions of Washington's statutes and regulations are per se, hybrid restraints of trade in violation of Section 1 of the Sherman Act, 15 U.S.C. § 1; are not saved by the state action immunity doctrine articulated in *Parker v. Brown*; and are preempted under the Supremacy Clause and unlawful under 42 U.S.C. § 1983 unless they can be and are saved by the Twenty-first Amendment:

- the prohibition on volume discounts (RCW 66.28.180(2)(d) & (3)(b); RCW 66.28.170; WAC 314-12-140(3));
- the prohibition on variations in prices offered to different retailers (RCW 66.28.170; RCW 66.28.180(2) & (3); WAC 314-12-140; WAC 314-20-100(2), (4) & (5); WAC 314-24-190 (2), (4) & (5));
- the prohibition on extending credit to retailers (WAC 314-13-015; see also RCW 66.28.010; WAC 314-20-090; WAC 314-12-140(3));
- the requirements that prices from manufacturers and distributors be posted and that no sales be made at other than the posted prices (RCW 66.28.180(2)-(3); WAC 314-20-100(2) & (5); WAC 314-24-190(2) & (5));
- the requirement that prices be posted in advance of their effective dates and be held for a full month once posted (WAC 314-20-100(2) & (5); WAC 314-24-190(2) & (5));
- the mandatory 10% minimum mark-up on price from manufacturer to distributor and distributor to retailer (RCW 66.28.010(2); RCW 66.28.180(2)(d) & (3)(b));
- the requirement that distributors sell at "delivered" pricing when the retailer pays the freight and picks up the goods (RCW 66.28.180(2)(h)(ii)); and,

- the prohibition on central warehousing by retailers (RCW 66.28.180(2)(h)(ii)).<sup>1</sup>

Thus, as to the above restraints (collectively, "the restraints"), the only issue left for trial is the LCB Defendants' affirmative defense of Twenty-first Amendment immunity.

In addition to the above restraints, the Court has under consideration one other challenged restraint, retailer-to-retailer sales (RCW 66.28.070, WAC 314-13-010), as to which further attention has been ordered in the trial briefs. If the Court makes the same summary judgment ruling on the retailer-to-retailer restraint as it made on the restraints listed above, "the restraints" will be deemed to include the additional challenged restraint. If the Court denies both sides summary judgment on that additional restraint, the parties will need to supplement the contentions, witnesses, and exhibits below. If the Court grants the Defendants' summary judgment the retailer-to-retailer restraint will not be part of the trial.

The Court also granted summary judgment that discrimination favoring in-state producers over out-of-state producers in selling to retailers violates the Commerce Clause and 42 U.S.C. § 1983. The Washington State Legislature has eliminated such discrimination. Shipments from out-of-state suppliers under the new legislation, like those of in-state suppliers, could be affected by the outcome of the trial.

### III. ADMITTED FACTS

The following facts are admitted by the parties:

1. Alcohol is a product that can be and all too often is abused and is often subject to regulation.
2. On average, prices of beer and wine in Washington are somewhat higher than they would be in the absence of the restraints.

---

<sup>1</sup> Costco believes that the Court's March 7, 2006 order necessarily applies as well to RCW 66.24.185(4), which excludes retailers from operating a warehouse that includes wine, and the annual case limitation for shipments from a bonded warehouse to a retailer in WAC 314-24-220(5). Both were discussed in Costco's summary judgment motion on first claim (at 3, last bullet) and in its reply brief of October 14, 2005, at 7, and the Court's analysis is fully applicable to both.

- 1 3. The Liquor Control Board seeks to serve overall lawful demand for wine and beer,  
2 directly through Liquor Control Board stores and indirectly through private retailers.
- 3
- 4 4. The Liquor Control Board has not established quantitative standards as to what levels  
5 of abusive consumption of wine or beer are unacceptable.
- 6
- 7 5. The Liquor Control Board accepts the fact that there will be some level of abusive  
8 consumption that occurs when serving overall, lawful consumption.
- 9
- 10 6. Retailers may not sell below cost except as permitted by WAC 314-52-114(2).
- 11
- 12 7. The Liquor Control Board does not review the actual prices distributors set so long as  
13 those prices for non-close out products are at or above the 10% minimum mark-up.
- 14
- 15 8. The Liquor Control Board does not monitor or review actual quantities of beer and  
16 wine purchased by consumers from retailers, or the quantities sold by individual retail  
17 outlets.
- 18
- 19 9. In general, the Liquor Control Board does not do any quantitative review of whether  
20 individual retail prices to consumers encourage purchase and consumption, or affect  
21 overall or abusive consumption of beer or wine. The Board has considered prices of  
22 certain products when determining whether to prohibit sale of those products in the  
23 current Alcohol Impact Areas, which are in Tacoma and Pioneer Square Seattle.
- 24
- 25 10. Different categories of retailers create different risks of contributing to abusive  
26 consumption.
- 27
- 28 11. The Liquor Control Board has not examined whether or the degree to which any  
29 increase in consumption has occurred as a result of any actions taken by the Liquor  
30 Control Board to serve lawful consumption.
- 31
- 32 12. The Liquor Control Board has not examined whether or the degree to which any  
33 reduction of wine or beer consumption that has occurred as the result of the restraints  
34 exceeds any increase in consumption that may result from any one or more of the  
35 actions the Liquor Control Board takes to serve lawful consumption.
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- 1 13. The Liquor Control Board allows retail sales directly from producers to consumers  
2 without any posting or mandatory markups.  
3
- 4 14. The Liquor Control Board has not quantitatively compared the impact the restraints  
5 have on consumption to the impact which any efforts to support and promote the  
6 Washington wine or beer industries may have on consumption.  
7
- 8 15. The Liquor Control Board has not quantitatively examined whether consumption has  
9 been affected by the promotional activities, case or other discounts to consumers, or  
10 temporary price reductions in Liquor Control Board stores.  
11
- 12 16. The Liquor Control Board has not conducted any quantitative study to determine  
13 whether or the degree to which any negative impacts have arisen from allowing  
14 Washington producers to sell directly to retailers or from allowing Washington  
15 producers to also act as retailers.  
16
- 17 17. The Liquor Control Board has not conducted any quantitative study or analysis to  
18 determine the effects on overall or abusive consumption of wine, beer, or liquor which  
19 may result from any of the following:  
20  
21 a. temporary price reductions made available to consumers in Liquor Control  
22 Board stores;  
23  
24 b. volume or case discounts made available to consumers in Liquor Control Board  
25 stores;  
26  
27 c. quantity discounts obtained by the LCB in its purchases for Liquor Control  
28 Board stores;  
29  
30 d. credit extended to the LCB on its purchases for Liquor Control Board stores;  
31  
32 e. Sunday sales;  
33  
34 f. Post-offs in the post and hold system;  
35  
36 g. Uniform pricing to small and remote retailers;  
37  
38 h. Opening of additional Liquor Control Board stores;  
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- i. Licensing of additional retailers;
  - j. Increased focus on merchandising in Liquor Control Board stores;
  - k. Allowing happy hours; and
  - l. Allowing retailers to conduct sales and offer volume discounts.
18. Spirits are a significant contributor to abusive consumption.
  19. The Liquor Control Board directly controls prices to consumers for spirits.
  20. With respect to Liquor Control Board stores, the Liquor Control Board pursues innovative business practices to try to reduce spirits, wine and beer distribution costs.
  21. The challenged restraints are not mandated for, and do not apply to, the sale and distribution of spirits or the sale and distribution of beer and wine through the Liquor Control Board stores.
  22. The Liquor Control Board stores run promotions, including a Washington Wine Month campaign, temporary price reductions, and volume discounts.
  23. The Washington State Legislature as a pilot program subject to legislative review elected to open some Liquor Control Board stores on Sunday to increase revenue.
  24. Legislative policy is to allow private retailers to sell wine and beer seven days a week.
  25. The Liquor Control Board agreed to eliminate its requirement of a minimum retailer mark-up on wine and beer nearly twenty years ago, in settlement of a lawsuit, and has never tried to reinstitute it.
  26. The Liquor Control Board has not performed any quantitative analysis of the effect of the termination of the minimum retailer mark up on retail prices or on the overall or abusive consumption of wine or beer.
  27. The Liquor Control Board allows suppliers to extend credit to distributors. Delivered pricing to distributors is not mandated; suppliers may sell on either an FOB or a delivered basis and, in case of the latter, they may grant freight allowances to distributors. Suppliers may also grant price and other allowances to distributors.

Distributors function as warehouses for suppliers, and distributors are often required by their suppliers to maintain minimum inventories, particularly with respect to beer.

28. Distributors are allowed by the LCB to unpack cases, stock shelves, add price stickers, provide and erect displays, and rotate coolers for those wine and beer retailers that desire those services, but the distributor must not increase the delivered price to account for such extra services or decrease the delivered price for retailers who elect not to take advantage of the services.

#### IV. CONTENTIONS

Costco contends as follows:

1. Defendants have not met their burden of showing that any of the restraints has a sufficiently close relationship to a State purpose that is among the core concerns of the Twenty-first Amendment.

2. There is no State purpose to increase wine and beer prices to accomplish a reduction in abusive consumption.

3. Even if one or more of the restraints has a sufficiently close relationship to a State purpose within the core concerns of the Twenty-first Amendment, defendants have not met their burden of showing that the extent to which it serves such purpose could not be accomplished through other reasonable alternatives that are consistent with federal law.

4. Even if one or more of the restraints has a sufficiently close relationship to a State purpose within the core concerns of the Twenty-first Amendment, defendants have not met their burden of showing that the extent to which it serves such purpose outweighs federal competition policy.

5. Even if one or more of the restraints has a sufficiently close relationship to a State purpose within the core concerns of the Twenty-first Amendment, the State has acted inconsistently in so many other ways, and for so many other contrary State purposes, that

1 federal competition policy necessarily outweighs any such State purpose allegedly supporting  
2 the restraints.  
3

4  
5 Defendants and Intervenor-Defendant contend as follows:  
6

7 1. The restraints, considered separately or as a whole, are closely related to the  
8 core powers granted to the State of Washington by the 21st Amendment.  
9

10 2. The restraints, considered separately or as a whole, are reasonably intended to  
11 further the core interests of the State of Washington under the 21<sup>st</sup> Amendment.  
12

13 3. The restraints, considered separately or as a whole, tend to further the core  
14 interests of the State of Washington under the 21<sup>st</sup> Amendment.  
15

16 4. The restraints, considered separately or as a whole, have the purpose and effect  
17 of dampening consumption of beer and wine, and thus encouraging moderate legal  
18 consumption of alcohol or temperance.  
19

20 5. The restraints, considered separately or as a whole, have the purpose and effect  
21 of assuring that beer and wine are reasonably available to all citizens of Washington at  
22 reasonable prices, while making it more difficult than it would otherwise be to sell beer and  
23 wine at prices so low as to encourage excessive or abusive consumption.  
24

25 6. The restraints, considered separately or as a whole, have the purpose and effect  
26 of assuring the existence of an orderly, controlled market for the distribution and sale of beer  
27 and wine in Washington.  
28

29 7. The restraints, considered separately or as a whole, have the purpose and effect  
30 of facilitating the collection of taxes by the State of Washington.  
31

32 8. The effects of the restraints on actual competition in the market for beer and  
33 wine are such that any impact on federal competition policy is outweighed by the interests of  
34 the State in furthering its core interests under the 21<sup>st</sup> Amendment.  
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1           9.     The effects of the restraints on the actual prices of beer and wine in Washington  
2  
3 are such that any impact on federal competition policy is outweighed by the interests of the  
4  
5 State in furthering its core interests under the 21<sup>st</sup> Amendment.  
6

7           10.    The State legislature and the Liquor Control Board attempt to maintain a  
8  
9 balance between unduly restrictive regulations of beer and wine on the one hand and  
10  
11 unreasonably easy access to beer and wine on the other hand.  
12

13           11.    The Liquor Control Board monitors that balance by monitoring the concerns of  
14  
15 all participants in the market, including suppliers, distributors, retailers, consumers, and  
16  
17 members of the prevention and law enforcement communities.  
18

19           12.    The Liquor Control Board supports and encourages efforts to limit abusive  
20  
21 consumption at the consumer level, such as drunk driving laws, and educational initiatives  
22  
23 targeted toward alcohol related health effects and prevention.  
24

25           13.    The Liquor Control Board works directly to prevent abusive consumption at the  
26  
27 consumer level through mandatory server training and rigorous enforcement of rules and laws  
28  
29 relating to serving and selling alcohol to consumers.  
30

31           14.    Control of the distribution of and the prices for beer and wine at the supplier,  
32  
33 distributor and retailer levels are equally if not more important in limiting abusive consumption  
34  
35 than controls imposed at the consumer level.  
36

37           15.    Control of the distribution of and the prices for beer and wine at the supplier,  
38  
39 distributor and retailer levels are essential to maintaining an orderly, controlled market for the  
40  
41 distribution and sale of beer and wine.  
42

43           16.    Control of the distribution of and the prices for beer and wine at the supplier,  
44  
45 distributor and retailer levels are essential to maintaining an effective system of tax collection  
46  
47 with respect to the distribution and sale of beer and wine.  
48  
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**V. ISSUES OF LAW**

Other than evidentiary issues, the parties believe that the Court may be presented with the following legal issues for decision:

1. Have defendants met their burden of proving that each of the restraints is saved by the Twenty-first Amendment?

2. Are the restraints to be examined individually, as a whole, or both?

3. How closely and effectively must the restraints, individually or as a whole, fit and serve one or more State purposes that are among the core concerns of the Twenty-first Amendment?

4. What is the significance if an alleged State purpose was not expressed by the Legislature or by the LCB under a grant of authority from the Legislature?

5. Is it sufficient if the restraints, individually or as a whole, tend to serve one or more State purposes that is among the core concerns of the Twenty-first Amendment, whether or not that was not an intended or even desired effect?

6. How is the Court to balance the federal concerns in the Sherman Act and Supremacy Clause against the extent to which the restraints, individually or as a whole, are intended to and in fact serve one or more State purposes that are among the core concerns of the Twenty-first Amendment?

7. Does intervenor WBWWA have standing to participate in a trial limited to a uniquely governmental defense?

**VI. EXPERT WITNESSES**

The names and addresses of the expert witnesses to be used by each party at the trial and the issue upon which each will testify are:

1. On behalf of Costco:

<u>EXPERT</u>	<u>ADDRESS</u>	<u>INFORMATION</u>
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<u>EXPERT</u>	<u>ADDRESS</u>	<u>INFORMATION</u>
Michael J. Moore	Huron Consulting Services, LLC 550 West Van Buren Street Chicago, Ill.	Economics and public policy aspects of the restraints and other alcohol control policies.
Keith Leffler	Department of Economics, DK-30 University of Washington Seattle, WA	Same.

2. On behalf of Defendants and Defendant Intervenor:

<u>EXPERT</u>	<u>ADDRESS</u>	<u>INFORMATION</u>
Kenneth L. Casavant	Department of Agricultural Economics Washington State University Pullman, WA. 99164-6210 (509) 335-1608	Economic and public policy impacts of the restraints on the market for beer and wine, with particular emphasis on the effect of the restraints on price.
William J. Rorabaugh	University of Washington Department of History 315 Smith Box 353560 Seattle, WA. 98195-3560 (206) 543-9856	The social considerations and policies underlying the initial adoption and subsequent development of the restraints.
Frank J. Chaloupka IV	Department of Economics (M/C 144) University of Illinois at Chicago 601 S. Morgan Street Room 2103 Chicago, IL 60607-7121	Economic and public policy impacts of the restraints with particular emphasis on the price impact of the restraints and the overall impact of the restraints in promoting moderate drinking and reducing the consequences of alcohol use and abuse.

## VII. OTHER WITNESSES

The parties have agreed to make available without need of subpoena any employee or LCB Board member. The parties have agreed to accommodate the witnesses' schedules.

1. On behalf of Costco:

1 The names and addresses of the witnesses, other than experts, that Costco may or will  
2 call at trial, with the exception of rebuttal witnesses whose testimony cannot reasonably be  
3 anticipated at this time, and the general nature of the expected testimony for each are  
4 summarized below. Certain of the witnesses listed may be called at trial using excerpts of their  
5 respective deposition testimony in lieu of live testimony. Certain of the witnesses listed may  
6 also qualify to provide expert testimony. Costco has not separately listed but may call in its case  
7 any witness listed by defendants and any witness necessary to the admissibility of a proposed  
8 exhibit where no stipulation is reached. Where an individual has been deposed, the area of  
9 testimony includes any subject explored in the deposition.  
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<u>INDIVIDUAL</u>	<u>ADDRESS</u>	<u>INFORMATION</u>
20 Britt, Jan	21 LCB Headquarters 22 3000 Pacific Ave. SE 23 Olympia, WA 98504-3093	24 Purpose, effects, and enforcement of 25 Washington statutes and regulations; 26 LCB and legislative oversight of the 27 alcohol beverage industry; and the role 28 of wholesalers and retailers.
29 Dalrymple, Lester	30 LCB Headquarters 31 3000 Pacific Ave. SE 32 Olympia, WA 98504-3093	33 Purpose, effects, and enforcement of 34 Washington statutes and regulations; 35 LCB and legislative oversight of the 36 alcohol beverage industry; and the role 37 of wholesalers and retailers.
38 Ensign, Heidi	39 LCB Headquarters 40 3000 Pacific Ave. SE 41 Olympia, WA 98504-3093	42 Purpose, effects, and enforcement of the 43 Washington statutes and regulations; 44 LCB and legislative oversight of the 45 alcohol beverage industry; and the role 46 of wholesalers.
47 Hooker, Jeff	48 Pepperidge Farm Co. 49 22500 SE 64 <sup>th</sup> Pl Ste 210 50 Issaquah, WA 98027	51 Conditions and restrictions affecting buying efforts.
Ing, Vera	LCB Headquarters 3000 Pacific Ave. SE Olympia, WA 98504-3093	LCB's role, policies, and actions in promoting, selling, and regulating liquor.
McKay, John	Costco Wholesale 999 Lake Drive Issaquah, WA 98027	Strategies, business methods, and operations of Costco warehouses and the regional buying efforts that support

<u>INDIVIDUAL</u>	<u>ADDRESS</u>	<u>INFORMATION</u>
		them. Effect of the restraints on control of abusive consumption.
Mitchell, Carter	LCB Headquarters 3000 Pacific Ave. SE Olympia, WA 98504-3093	Purpose, effects, and enforcement of Washington statutes and regulations; LCB and legislative oversight of the alcohol beverage industry; and the role of wholesalers.
Farmer, Pat	LCB Headquarters 3000 Pacific Ave. SE Olympia, WA 98504-3093	Practical aspects of controlling abusive consumption, and role of producer and distributor prices and the restraints in abusive consumption.
Reynolds, Randy	LCB Headquarters 3000 Pacific Ave. SE Olympia, WA 98504-3093	Purpose, effects, and enforcement of the Washington statutes and regulations; LCB and legislative oversight of the alcohol beverage industry; and the roles of wholesalers and retailers.
Shintaffer, Dean	Sound Beverage Bellingham, WA	Role, if any, of supplier and distributor prices and the restraints in abusive consumption; supplier and distributor efforts to increase consumption; inconsistent actions by State.
Stevens, Robert	Alaska Distributors	Role, if any, of supplier and distributor prices and the restraints in abusive consumption; supplier and distributor efforts to increase consumption; inconsistent actions by State.
Studer-Eldred, Roxie	LCB Headquarters 3000 Pacific Ave. SE Olympia, WA 98504-3093	Operation of price posting system.
Wayt, Phil	WBWWA 504 East 14 <sup>th</sup> Ave., Suite 140 Olympia, WA 98507	Purpose, effects, and enforcement of the Washington statutes and regulations; LCB and legislative oversight of the alcohol beverage industry; effect of certain measures on consumption of alcohol, and the roles and actions of wholesalers.
Whisman, Heidi	LCB Headquarters 3000 Pacific Ave. SE Olympia, WA 98504-3093	MTW regulations, and LCB merchandising, sales, and purchasing practices and policies.

2. On behalf of Defendants and Defendant-Intervenor:

The names and addresses of the witnesses, other than experts, the Defendants and Defendant-Intervenor may or will call at trial, with the exception of rebuttal witnesses whose testimony cannot reasonably be anticipated at this time, and the general nature of the expected testimony for each are summarized below. Defendants and Defendant-Intervenor reserve the right to call any witness identified by Costco:

<u>INDIVIDUAL</u>	<u>ADDRESS</u>	<u>INFORMATION</u>
Lorraine Lee	LCB Headquarters 3000 Pacific Ave. SE Olympia, WA 98504-3093	Purpose, effects, and enforcement of the Washington statutes and regulations; LCB and legislative oversight of the alcohol beverage industry; the role of suppliers, distributors, and retailers.
Randy Reynolds	LCB Headquarters 3000 Pacific Ave. SE Olympia, WA 98504-3093	Purpose, effects, and enforcement of the Washington statutes and regulations; LCB and legislative oversight of the alcohol beverage industry; and the roles of wholesalers and retailers.
Merritt Long	LCB Headquarters 3000 Pacific Ave. SE Olympia, WA 98504-3093	LCB's role, policies, and actions in promoting, selling, and regulating liquor.
Steve Burnell	LCB Headquarters 3000 Pacific Ave. SE Olympia, WA 98504-3093	State and LCB involvement in promoting, pricing, and merchandising wine and Washington wine.
Paul Shipman, President and CEO	Redhook Ale Brewery 14300NE 145 <sup>th</sup> Street Woodinville, WA 98072	The role of distributors in the system, the role of distributors in the beverage alcohol industry in Washington, and the effects of the restraints.
Bob Broderick, Beer and Wine Mechandiser	Northwest Grocers  Seattle, WA	The role of distributors in the system, the role of distributors in the beverage alcohol industry in Washington, and the effects of the restraints.
Jeanne Reschan	LCB Headquarters 3000 Pacific Ave. SE Olympia, WA 98504-3093	Purpose, effects, and enforcement of the Washington statutes and regulations; LCB and the role of suppliers, distributors, and retailers.

<u>INDIVIDUAL</u>	<u>ADDRESS</u>	<u>INFORMATION</u>
Randy Simmons	LCB Headquarters 3000 Pacific Ave. SE Olympia, WA 98504-3093	LCB's role in tax collection and relationship of tax collection to restraints.
Lance Kahn	Jennings Distributing 111 Bruenn Avenue P.O. Box 4400 Bremerton, WA. 98312-0377 (360) 377-8595	The role of distributors in the regulatory system, the role of distributors in the beverage alcohol industry in Washington, the activities of distributors and the impact of the restraints.
Craig Stein	Stein Distributing, Inc. 5408 NE 88 <sup>th</sup> Street Building B, Suite 101 Vancouver, WA 98665 (360) 694-3895	The role of distributors in the regulatory system, the role of distributors in the beverage alcohol industry in Washington, the activities of distributors and the impact of the restraints.

#### VIII. EXHIBITS

Attachment A is a list of the exhibits Costco currently anticipates introducing at trial, except for exhibits to be used for impeachment, rebuttal, summary, or demonstrative purposes only.

Attachment B is a list of the exhibits Defendants and Defendant-Intervenor currently anticipate introducing at trial, except for exhibits to be used for impeachment, rebuttal, summary, or demonstrative purposes only.

#### IX. ACTION BY THE COURT

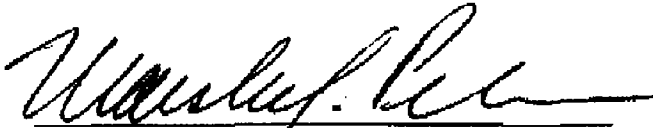
(a) This case is scheduled for trial without a jury on March 20, 2006.

(b) Trial briefs and proposed findings of fact and conclusions of law shall be submitted to the Court on or before March 15, 2006. The proposed findings and conclusions will be provided on CD.


This order has been approved by the parties as evidenced by the signatures of their counsel. This order shall control the subsequent course of the action unless modified by a

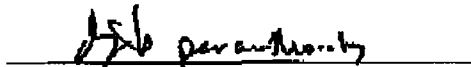
subsequent order. This order shall not be amended except by order of the court pursuant to agreement of the parties or to prevent manifest injustice.

DATED this 9 day of March, 2006.

  
United States District Judge  
Marsha J. Pechman

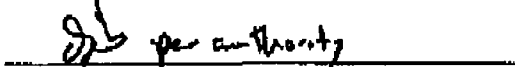
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11 Roger Hoen, Vera Ing, and Merritt Long  
12  
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14  
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16

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32 promain@teleport.com  
33 Attorneys for Intervenor Defendant Washington Beer and Wine Wholesalers Association  
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### Exhibit A

By stipulating to admissibility below, Defendants and Intervenor Defendant do not stipulate to admissibility for all purposes, but only to admissibility on at least one ground (such as documenting an historical event or that the LCB or Legislature took a particular position), and does not stipulate to admissibility of partial documents if Defendants and Intervenor Defendant should later determine that additional portions must be included to avoid making the exhibit misleading. Costco has agreed to cooperate in review of the missing pages. Defendants and Intervenor Defendant specifically reserves the right to contest use of an exhibit to prove the truth of any particular matter asserted in the document, such as where a document includes various levels of hearsay or opinion.

ID	Prod. Or Dep. Ex. No.	Date	Description	A <sup>2</sup>	B <sup>3</sup>	C <sup>4</sup>
1.			www.liq.wa.gov website	X		
2.			Blank			
3.		Various dates	Examples of retail sales promotions		X	
4.		Various dates	Examples of happy hour promotions		X	
5.			Examples of State store sales materials including photographs	X	X	
6.		2/21/06	Examples of post-offs in post- and-hold system	X		
7.	RTC 150- 164		MIW enforcement manual	X		
8.			2005 Revenue Returns Fact Sheet	X		
9.			Sunday Sales Fact Sheet	X		
10.			Blank			
11.	Dep. Exh. 1		July 2003-2008 Strategic Plan	X		
12.	Dep. Exh. 183		Strategic Plan 2005-2007	X		
13.	Dep. Exh. 7		Annual Report Fiscal Year 2002	X		
14.	Dep. Exh. 13		WSLCB's Balanced Mission	X		

<sup>2</sup> Admissibility and authenticity stipulated.

<sup>3</sup> Authenticity stipulated but admissibility disputed.

<sup>4</sup> Authenticity and admissibility disputed.

15.	Dep. Exh. 17		WSLCB Supplier and Distributor Price Posting System	X		
16.	WBW 103442-103444/ Dep. Exh. 37		WSLCB 1995 Request Legislation	X except for handwriting		
17.	Inclusive of Dep. Exh. 184		Retail Services Business Plan	X		
18.			Balancing Responsibility with Profitability: FY 2004 Annual Report	X		
19.	LCB1056-1059		Strategic Plan 2005-2007 Vision, Mission, Values, Goals	X		
20.	LCB1073-1091		Wine Program Strategy 2004-2009	X		
21.			Price Book Information Page	X		
22.		Various dates	Examples of price posting and label inquiries	X		
23.	RTC 6744-6762		Wine LCB-Retail Price Compls Ac Nielsen.xls	X		
24.	RTC 5055-5187	Various dates	Spread sheets containing LCB historical price posting data	X		
25.	Dep. Exh. 173		Chart, Dr. Chaloupka's Table 1, Nebraska Estimates Model 1 - for 2002	X		
26.	Dep. Exh. 174		Chart, Dr. Chaloupka's Table 1, Nebraska Estimates Model 1 - for 2001	X		
27.			National Highway Traffic Safety Administration (NHTSA), National Center for Statistics and Analysis, "Traffic Safety Facts 2004 Data: Alcohol"	X		
28.			Collection of California Legislative Material	X		
29.	WBW 543-546		Pamphlet, To Our Valued Retail Customers	X		
30.		Various dates	Collection of distributor pricing data [CONFIDENTIAL]			
31.			Collection of laws and regulations from other states regarding happy hours		X	

32.	RTC 8302-8321	1933	Report of State Advisory Liquor Control Commission	X		
33.	WSA 4892	12/11/61	Letter to Don Abel of the WSLCB from Ed. Morrissey, Exec. Sec'y of WBWWA		X	
34.	WSA 4546	12/18/64	Memo from James E. Hoing to Garland Sponburgh regarding "Wines, Other than Domestic"	X		
35.	WSA 4515	7/26/65	Memo from A.J. Cohn to James E. Hoing regarding Press Release for the Seattle P-I	X		
36.	RTC 2216	12/16/70	Inter-Office Correspondence from IW Hilson to Leroy Hittle regarding Petition to Amend Rule (81) (Wine Price Posting) submitted by WBWWA	X		
37.	RTC 2212-2215	12/16/70	Inter-Office Correspondence from IW Hilson to Leroy Hittle regarding Petition to Amend Rule (49) (Beer Price Posting) submitted by WBWWA	X		
38.	RTC 3020-3023	12/21/70	Amended Petition of the WBWWA to the WSLCB	X		
39.	RTC 3019-3026	1/14/71	Memorandum from WSLCB regarding amendment to price posting rules	X		
40.	RTC 3017	3/23/71	Memorandum to the file from I.W. (Bob) Hilson, supervisor of the WSLCB's MIW Division	X		
41.	RTC 3015	3/23/71	Memorandum from IW Hilson to The Board regarding General Recommendation regarding Petition to Amend Rules (49) and (81)	X		
42.	RTC 3016	3/23/71	Memorandum from IW Hilson to Leroy Hittle regarding Proposal of Washington Brewers Institute to require every brewer, COA holder or other original supplier to file uniform delivered price for all wholesalers on a statewide basis	X		
43.	WSA 700-702	3/24/71	Minutes of WSLCB meeting	X		

44.	WSA 707-708	5/13/71	Minutes of WSLCB regular session meeting	X		
45.	RTC 3055-3062	10/26/71	Letter from Vernon L. Lindskog to the WSLCB with an attached Petition of the WBWWA to the WSLCB	X		
46.	RTC 3037-3040	1/13/72	Transmittal Rules Adopted from the WSLCB to ch "Code Reviser" with an attached Resolution No. 25/Administrative Order No. 18 of the WSLCB and an amended text of WAC 314-20-100	X		
47.	WSA 4376	4/18/73	Memo from James E. Hoing to Leroy Hittle regarding "Senate Bill No. 2866," with attached chart about "The New Wine Tax Law...."	X		
48.	RTC 228-230	5/10/73	Bulletin of the WSLCB regarding changes in wine price schedule filed with Board as a result of the change in the Washington wine Gallonage Tax	X		
49.	WSA 4365-4368	9/20/73	Routing slip to Leroy Hittle with attached summary of changes to laws and regulations	X		
50.	WSA 4355-4358	9/17/74	Memo from James E. Hoing to the file, regarding meeting in the Governor's Office on problems of wine wholesalers	X		
51.	WSA 3738-3741	2/27/75	Letter from Douglas G. Alexander to Mo Garceau regarding a wine bill, SB 2626, with two pages of attached charts			
52.	RTC 8355	9/15/76	WSLCB Bulletin No. 119 regarding Beer and Wine Items May Be Closed Out at Less Than Cost	X		
53.	RTC 3278-3282	12/17/76	WSLCB Inter-Office Correspondence to "The Record" from Doug Alexander, WSLCB Information Officer, regarding "Dec. 1, 1976 Meeting of Representatives of Brewers and	X		

			Wholesalers with Board Staff to Discuss Proposed Amendments to Beer and Wine Regulations."			
54.	WSA 3813-3814	12/17/76	Letter from Leroy M. Hirtle to John de Yonge of Seattle P-I, regarding temporary price reductions by the LCB and by distributors	X		
55.	RTC 69-72 (part of Dep. Exh. 50)	2/18/77	Statement of William C. Erxleben, Regional Director, FTC from Press Conference		X	
56.	RTC 8425	5/27/77	WSLCB Bulletin No. 121 regarding Amended Pricing Rules—"prohibition against 'post-offs' has been eliminated"	X		
57.	RTC 8413	3/20/79	WSLCB Bulletin No. 125 regarding Post-off Prices on Wine May be Filed Separately	X		
58.	WSA 1064-1066	11/79	Liquor Control Board Application for New Listing, Price Quotation Form, and Conditions of Purchase	X		
59.			Blank			
60.	WSA 3091-3105	3/81	WSLCB Fact Sheet on House Proposed Measure 586	X except for hand-writing		
61.	RTC 4074-4077	5/5/82	Rule Purpose Statement of the WSLCB	X		
62.	LCB 1-170	7/83	Report on "The Desirability of Continuing Retail Liquor Sales by State Government"	X		
63.	RTC 83-85	12/7/83	Minutes of WSLCB public hearing regarding "Sales at Less Than Cost Prohibited"	X		
64.	WSA 1207-1208	2/22/85	Senate Bill 4127, Testimony of Bob Harvey, the LCB's Liquor Purchasing Agent	X		
65.	RTC 5233-5237	6/25/85	Memo from Bob Harvey to Board Members Hannah, Watanabe and L.H. Pedersen regarding "Washington Wine	X		

			Month - Item Selection," with an attached list of discounted wine items			
66.	WBW 103365/Dep Exh. 103	7/23/85	Letter to Phillip Wayt of the WBWWA from Jan Britt of the WSLCB's MIW Division	X		
67.	RTC 5239-5240	8/13/85	Memo from Merchandise Committee to Board Members Watanabe, Hannah and L. H. Pedersen regarding "Wine Sales."	X		
68.	RTC 109-110	8/14/85	Minutes of WSLCB regular session meeting	X		
69.	Costco 1470/ Dep. Exh. 106	8/22/85	WAC Review Committee Review Form regarding WAC 314-52-114	X		
70.	RTC 4113-4114	9/4/85	Rule Purpose Statement of the WSLCB	X		
71.	RTC 5242/Dep. Exh. 107	12/27/85	WSLCB Inter-Office Correspondence to L.H. Pedersen, WSLCB Chairman, from Jan Britt, Supervisor, MIW Division regarding "Board Meeting of January 8, 1986"	X		
72.	WSA 465-472/ Dep. Exh. 109	3/13/86	Minutes from WSLCB regular meeting	X		
73.	Dep. Exh. 108	3/17/86	Letter to Hank Sitko from Jan Britt	X		
74.	RTC 214-215/Dep. Exh. 112	4/8/86	WSLCB MIW Bulletin 105 regarding discrimination in price selling—prohibited	X		
75.	RTC 296, Dep. Exh. 110	4/25/86	Letter from Ronald Rumbaugh, President to Jan Britt, Supervisor MIW re: Acquisition Cost Meeting of April 29, 1986	X		
76.	RTC 102-104/Dep. Exh. 111	7/1/86	Minutes of WSLCB Meeting	X		
77.	RTC 100-101/Dep. Exh. 113	8/5/86	Minutes of WSLCB Public Hearing regarding proposed rule change WAC 314-20-100, WAC 314-20-105, WAC 314-24-190, WAC 314-24-200 and WAC	X		

			314-52-114			
78.	WBW-2077-2080	11/4/87	Memo from Vern Lindskog to Phil Wayt, regarding "Proposed Rule Change on Delivery of Beer and/or wine" with two attached documents.		X	
79.	RTC 2041-2062/Dep. Exh. 118	11/23/87	Affidavit of Janice Lee Britt attached March 2, 1989 Inter-Office Correspondence from Jan Britt to Paula O'Connor, Chairman re: Price Posting Information	X		
80.	WBW 791-794	1/13/88	Minutes of WBWWA Board of Director meeting		X	
81.	WAYT 3063-3068	2/1/88	Stipulation and Agreed Order of Dismissal Without Prejudice		X	
82.	WBW 1050	9/16/88	Letter to Phil Wayt of the WBWWA from M. Carter Mitchell, Information Officer/Legislative Division of the WSI.CB	X		
83.	RTC 6108-6110	9/23/88	Inter-Office Correspondence from M. Carter Mitchell to The Board and Division Heads re: Review of September 22 Meeting of House Commerce and Labor Committee	X		
84.	WBW 1297-1304/Dep. Exh. 241	12/12/88	Letter from WBWWA to Fellow Wholesalers regarding Washington's "cash law"		X	
85.	WBW 1215-1218/Dep. Exh. 243	2/7/89	Document entitled "Wholesalers and Small Retailers Target of Proposed C.O.D. Change"		X	
86.	WBW 103516-103517/Dep. Exh. 247	7/21/89	Memo from Paul R. Romain to All Wholesalers regarding "Price Posting"		X	
87.	WBW 4574-4583/Dep. Exh. 219	12/12/89	Letter from Harold R. Clure of Washington State Medical Assoc., to Paula O'Connor regarding alcohol advertisements		X	



88.	WBW 100757- 100761	1/10/90	WBWWA Board of Directors Meeting Minutes		X	
89.	WBW 4213- 4216/Dep. Exh. 220	12/3/90	Keg & Cask Publication regarding "Liquor Board Debates Advertising Regulations"		X	
90.	WBW 4332- 4333/Dep. Exh. 221	12/17/90	Memo from Phil Wayt to WBWWA Wholesalers regarding "Proposed Advertising Regulations"		X	
91.	WBW 4130- 4131/Dep. Exh. 222	1/29/91	Letter from Phillip H. Wayt to Mike Murphy regarding advertising from Washington State Medical Association		X	
92.	WBW 4608- 4610/Dep. Exh. 223	1/30/91	Action Bulletin from Phil Wayt to All Wholesalers regarding "Advertising Regulations at LCB and ad bans at the legislature"		X	
93.	RTC 278- 284/Dep. Exh. 121	12/8/92	WSLCB Memorandum from Jan Britt, Programs Administrator Enforcement to Jack Rabourn, Board Member Re: Alternatives to Current Beer/Wine Price Posting System	X		
94.	RTC 274- 275	12/17/92	Memorandum from Phil Wayt to Wholesalers Re: Liquor Board Action on Postings		X	
95.	RTC 285- 286/Dep. Exh. 34	5/20/93	Memorandum from Lester C. Dalrymple to The Board re: Price Postings	X		
96.	RTC 6225- 6233	9/10/93	WSLCB Memorandum from M. Carter Mitchell, PIO/LL to Bill Wegeleben, OFM re: WSLCB 1994 Legislative Package	X		
97.	WBW 100465- 100469	10/9/93	Minutes of WBWWA Annual Membership meeting		X	
98.	WBW 100465- 100471/ Dep. Exh. 248	10/9/93	Minutes of WBWWA Annual Membership Meeting		X	
99.	RTC 4322-	11/10/93	Minutes from WSLCB regular	X		

	4326		session meeting			
100.	RTC 6211-6213	1994	Handwritten notes between Carter Mitchell and Mike (?) regarding 1995 Request Legislation	X		
101.	WBW 5149-5151/Dep. Exh. 278	2/28/94	Memorandum sent by fax from Phil Wayt to All Wholesalers regarding Legislative Update		X	
102.	WBW 103302/Dep. Exh. 84	3/7/94	Price Posting proposal with handwritten notes by Joe McGavick, Chairman WSLCB	X		
103.	WBW 103436-103437/Dep. Exh. 249	3/9/94	Letter from Mike Schmidt, Puget Sound Beverages to Phil Wayt re: Price Postings		X	
104.	WBW 103430-103435/Dep. Exh. 85	3/31/94	Fax Transmittal Sheet from Mike Schmidt, Puget Sound Beverages to Phil Wayt regarding Review of Proposed Legislation—Posting		X	
105.	RTC 6218-6221	3/31/94	Inter-Office Correspondence from M. Carter Mitchell to The Board re: Review of Proposed Legislation—Postings	X		
106.	RTC 5331-5332/Dep. Exh. 39	4/15/94	Memo to Lester Dalrymple from Kim O'Neal	X		
107.	WBW 8595-8602	7/22-23/94	Minutes of WBWWA Summer Board of Directors and General Membership Meeting		X	
108.			Blank			
109.	WBW 3649	7/28/94	Memo from Wayt to All WBWWA Wholesalers		X	
110.	RTC 6200-6201	8/22/94	Inter-Office Correspondence from David Goyette, Assistant Director, Regulatory Services to M. Carter Mitchell, Legislative Liaison Re: 1995 Legislative Proposals	X		
111.	RTC 6202-	8/23/94	1995 Proposed Legislation	X		

	6204		Regulatory Services, Proposal No. 3 regarding price postings			
112.	RTC 6187-6189	8/26/94	Memorandum from M. Carter Mitchell to The Board regarding 1995 Board Requested Legislative Package	X		
113.	RTC 6190-6199	8/29/94	Memorandum from M. Carter Mitchell to The Board regarding 1995 Board Requested Legislative Package	X		
114.	WSA 5324-5338	8/31/94	Minutes from WSLCB regular session meeting	X		
115.	WBW 103257	10/12/94	Memorandum from Phil Wayt to All Wholesalers re: Price Postings—Pickup of Damages Product—PAC Check Distribution		X	
116.	WSA 5440-5443	12/28/94	Minutes of WSLCB Meeting	X		
117.	WBW 4150	1/5/95	WSLCB Press Release regarding "Meeting to Discuss Liquor Advertising"	X		
118.	WBW 100407-100412	1/31/95	Minutes of WBWWA Board of Director meeting		X	
119.	WBW 104488-104491/ Dep. Exh. 224	2/8/95	Keg & Cask publication		X	
120.	WBW 1920-1923/ Dep. Exh. 225	2/9/95	Letter From Washington Dept. of Health regarding teen counter-advertising, with flyer attached		X	
121.	RTC 1621-1624	3/6/95	Memorandum to Rich Raico, Supervisor, MIW Section from Ann Weber, Administrative Assistant regarding "Price Posting Survey" with an attached Addendum and Price Posting Survey table	X		
122.	WBW 103400-103402/	3/16/95	Fax from Phillip H. Wayt to WBWWA Executive Committee & Bob Baronsky regarding		X	

	Dep. Exh. 250		"Price Postings"			
123.	Dep. Exh. 38	3/16/95	Minutes of WSLCB Meeting	X		
124.			Blank			
125.	WBW 8585- 8586/Dep. Exh. 77	3/22/95	Minutes of WBWWA Executive Committee meeting		X	
126.	RB 715-718	3/23/95	Fax cover sheet to Kim O'Neal, Bob Baronsky and Phil Wayt from Carter [Mitchell] with an attached draft amendment to RCW 66.28.180		X	
127.		3/23/95	Verbatim Transcript of Recorded Hearing, Senate Labor, Commerce and Trade Committee		X	
128.	WBW 103374- 103376/ Dep. Exh. 79	3/23/95	Fax from Liquor Board with text of proposed legislation.		X	
129.	WBW 1873-1876/ Dep. Exh. 226	3/30/95	Fax from Phil Wayt to Mick Blackburn regarding "Counter Advertising" with draft letter attached.		X	
130.	RTC 5959- 5960/Dep. Exh. 88	4/25/95	Memorandum to "The Board" from M. Carter Mitchell of the WSLCB regarding "Research on Bonded Wine Warehouse Legislation"		X	
131.	RTC 5965- 5966/Dep. Exh. 145	4/25/95	Letter from Phil Wayt to Joe McGavick, Chairman, Mike Murphy, Board Member, Jack Rabourn, Board Member regarding removals from bonded warehouses by Washington wineries		X	
132.	RTC 5256- 5257/ Dep. Exh. 78	4/28/95	Legislative Status report #15 regarding legislative intent for HB 1060	X		
133.	RB 701-707	5/5/95	Memorandum to WBWWA Executive Committee, Bud Seifert and Mike Schmidt, from		X	

			Phil Wayt, Executive Director of the WBWWA with attached excerpt of enrolled House Bill 1060, 54 <sup>th</sup> Legislature, 1995 Regular Session			
134.	WBW 103330-103337/Dep. Exh. 252	5/19/95	Memorandum to "All Wholesalers" from Phil Wayt, Executive Director, WBWWA, with an attached excerpt of enrolled House Bill 1060, 54 <sup>th</sup> Legislature, 1995 Regular Session		X	
135.	RTC 5258	6/6/95	Memorandum from Mike Donaldson to The Board regarding Wine Discount-Washington Wine Month	X		
136.	RTC 5259-5260	6/7/95	LCB Minutes	X		
137.	RTC 4386-4392/Dep. Exh. 89	7/17/95	Memorandum from Carter [Mitchell] to Mike Murphy and Jack Rabourn attaching Public Hearing notice regarding Bonded Wine Warehouses Topic of Hearing		X	
138.	WSA 513-518/Dep. Exh. 90	8/4/95	Minutes of WSLCB meeting		X	
139.	RTC 4393	8/7/95	Letter from Kay Simon, Chinook Wines to WSLCB Members regarding bonded wine warehouse topic		X	
140.	WBW 7434-7435/Dep. Exh. 236	11/7/95	Fax from Phillip H. Wayt to Simon Siegl regarding "Wine Warehouse"		X	
141.	WBW 7432/Dep. Exh. 237	11/21/95	Letter from Simon Siegl, Executive Director WWI to WSLCB re: Removal from bonded warehouse by Washington wineries		X	
142.	RTC 1993	3/27/96	Memorandum from The Merchandise Committee to The Board regarding Changes in Wine Program	X		

143.	RTC 5856-5895	3/27/96	LCB Merchandise Committee, Wine Study	X		
144.	RTC 4493-4497/Dep. Exh. 91	4/12/96	Memorandum to "The Board" from Carter [Mitchell] regarding "Public Hearing of April 24, 1996"		X	
145.	WSA 5559-5570	4/24/96	Minutes of WSLCB meeting	X		
146.	WBW 103498/Dep. Exh. 148	12/24/96	Memo from David Goyette to All Breweries, Wineries and Wholesalers, regarding "Automation of Price Posting, Effect of Allowances on Acquisition Cost"	X		
147.	RTC 5531-5534	4/9/97	LCB Board Meeting Minutes	X		
148.	RTC 5535	4/9/97	Memo from Steve Burnell to LCB Board Members, regarding Washington Wine Month	X		
149.	WBW 7616-7617/Dep. Exh. 246	6/26/97	Fax from Susan Mitchell to Bill Schallert regarding "Pricing Survey"		X	
150.	WBW 7615	6/27/97	Memorandum to Gary Gill, B&B Distributors from Phil Wayt, Executive Director, WBWWA		X	
151.	WBW 7589	6/30/97	Letter from Nathan S. Ford, Jr. to Phillip H. Wayt regarding LCB's wine program	X		
152.	RTC 5280-5282	7/15/97	Memo from Steve Burnell to Board Members Charles R. Brydon, Jesse Farias and Nate Ford regarding Washington Wine Month listings	X		
153.	WBW 100592-100593	8/11/97	WBWWA Membership Meeting Minutes		X	
154.	WBW 7583/Dep. Exh. 245	12/29/97	Fax from Phillip H. Wayt to Bill Roden regarding "Wine sales by state"	X		
155.	WBW 7584-7585	1/7/98	Letter from Phil Wayt to Steve Burnell		X	
156.	WBW 7704-7707	2/19/98	WBWWA Legislative Update regarding ".08 Blood Alcohol	X		

			Content & Other Drinking and Driving Legislation"			
157.	WBW 7425-7428/Dep. Exh. 229	4/6/98	Letter from John M. Moffat of the Washington Traffic Safety Commission to Phillip Wayt regarding the new DUI laws, with April 9 1998 fax from Phil Wayt to WBWWA Board of Directors attached.	X		
158.	WBW 7861-7862/Dep. Exh. 259	11/10/98	Letter from Philip H. Wayt of the WBWWA to Nate Ford, Chairman of the WSLCB		X	
159.	WBW 102008-102009/Dep. Exh. 230	5/12/99	Memo from Phillip H. Wayt to All Wholesalers regarding "SSB 5872-.02 DUI"	X		
160.	RTC 5303-5310/Dep. Exh. 46	5/5/99	Memo from Heidi Whisman to Board Members regarding Freight Costs/Price Posting	X		
161.	WBW 4090-4091/Dep. Exh. 227	9/9/99	Fax from Phil Wayt to Dan Levine, Steve Knight, Bob Stevens and Rich Faw regarding Seattle Ad Ban	X		
162.	WBW 7310-7313/Dep. Exh. 240	2/7/00	Fax from Paul C. Cramton to Phil Wayt regarding supplier agreements		X	
163.	WBW 4024-4025/Dep. Exh. 233	3/2/00	Email from Bob Stevens to Phil Wayt regarding "Consignment Sales-Prevention of"		X	
164.	RTC 4923-4924	3/8/00	Memorandum regarding upcoming Beer/Wine Tax Reporting Changes from Fay Bronson to MIW	X		
165.	WBW 6594-6596/Dep. Exh. 235	4/20/00	Memorandum from Phil Wayt to WBWWA Board of Directors regarding tax reporting by distributors		X	
166.	RTC 4893-4900	5/24/00	LCB Board Meeting Minutes	X		
167.	WBW 579-	6/16/00	Memorandum from Phillip Wayt		X	

	580		to all wholesalers of WBWWA regarding beer tax payment			
168.	RTC 197-201/Dep. Exh. 56	6/19/00	Memo from Heidi Whisman re Filing of allowances offered to distributors	X		
169.	WBW 7447-7450	6/21/00	Memo from Kevin Weatherill to Bob Archey		X	
170.	WBW 7075-7077	11/17/00	Fax from Phil Wayt to All Wholesalers, re "News from Your Association"		X	
171.	LCB 489-505, 512-531, 558-559, 650-667, 847-870, 873-875	12/00	Excerpts from Washington State Retail Liquor Sales Task Force	X		
172.	RTC 729-730/Dep. Exh. 167	1/26/01	Email from France Carter to multiple recipients regarding E Commerce Meeting Minutes		X	
173.	WBW 101942-101953	1/17/02	WBWWA Board of Directors Meeting Minutes		X	
174.	WBW 106712-106713/Dep. Exh. 21	3/27/02	Memo to All Licensed Importers and Distributors acting as Importers regarding Distributor Appointments and Price Posting Requirements	X		
175.	RTC 1828-1878	7/02	WSLCB Retail Services Business Plan	X		
176.	Wayt 4372-4373/Dep. Exh. 71	12/3/02	Email from Phil Wayt to Lance Kahn, et al. regarding interactive promotion events		X	
177.	WSA 1308, 1316-1318	2/5/03	Excerpt, LCB Board Meeting Minutes,	X		
178.	RTC 631-642	2/7/03	Memo from Lorraine Lee to Merritt D. Long et al	X		
179.		3/03	Beer/Wine Supplier's Price Schedule	X		
180.	WBW 107265-107273	3/19/03	Memo from Phil Wayt to Bob Stevens and Ted Stephenson re LCB wine sales research project		X	
181.	Dep. Exh. 169	4/11/03	Article, "Point-of-Purchase Alcohol Marketing and	X		



			Promotion by Store Type			
182.	WBW 107191- 107192/ Dep. Exh. 231	4/18/03	Email from Phil Wayt to All Wholesalers regarding beer and wine tax increases.		X	
183.	WBW 104688- 104691/ Dep. Exh. 232	6/11/03	Email from Phil Wayt to All wholesalers, regarding "Legislative Update from Olympia, WA"		X	
184.		9/03	Substance Abuse and Mental Health Services Administration (SAMHSA), Office of Applied Studies (OAS). "2001 State Estimates of Substance Use, Alcohol Tables from Appendix A"	X		
185.	RTC 6493- 6494	9/18/03	Email from Randy Reynolds and related string	X		
186.	RTC 998- 1000/Dep. Exh. 68	10/15/03	Email string re Oregon Price Lists		X	
187.	WBW 5789- 5791/Dep. Exh. 262	10/29/03	Email from Phil Wayt to All Wholesalers regarding "Beer and Wine Distribution System in WA Under Attack by Costco"		X	
188.			Blank			
189.	RTC 6723- 6743	12/03	A Comparison of Wine Prices: State Liquor Stores and Major Grocery Chains	X		
190.		12/3/03	LCB Board Meeting Minutes	X		
191.	RTC 5687- 5688/Dep. Exh. 295	12/4/03	Email from Kent Nakamura and related string		X	
192.			Blank			
193.			Blank			
194.			Blank			
195.			Blank			
196.			Blank			
197.			Blank			
198.		3/11/04	Excerpt, Anheuser-Busch Companies, Inc., Proxy		X	

			Statement for 2004 Annual Meeting of Stockholders			
199.	WAYT 3821-3822	3/12/04	Email from Phil Wayt to Craig Purser regarding Legislature Adjourns—Passes Bills We Supported		X	
200.	RTC 656-662/ Dep. Exh. 25	3/29/04	Email from Teresa Berntsen to Randy Reynolds and Heidi Ensign re: beer price posting rules with attached changes	X		
201.	RTC 886-897	3/29/04	Email from Teresa Berntsen to Phil Wayt re: "beer price posting rules for your review" with attached changes	X		
202.	RTC 859-868	4/12/04	Email from Teresa Berntsen to Phil Wayt re: beer price posting rules with final changes "for your input"	X		
203.	RTC 38/ Dep. Exh. 26	4/12/04	Email from Heidi Whisman regarding Price Posting stuff	X		
204.	RTC 844-857	4/13/04	Email from Teresa Berntsen to Phil Wayt re: wine price posting rules with attached changes	X		
205.	Dep. Exh. 6	4/15/04	WSLCB Media Release	X		
206.	RTC 685-693 (incl. Dep. Exh. 294)	4/29/04	Minutes of WSLCB Business Advisory Council	X		
207.			Blank			
208.	RTC 1257-1259	5/7/04	WSLCB Costco Update		X	
209.	RTC 5837-5839	5/14/04	Emails between Randy Reynolds and Jeanne Reschan		X	
210.	WSA 1324, 1329-1332	5/19/04	Excerpt, LCB Board Meeting Minutes, pages 1, 6-9	X		
211.	RTC 627-629/Dep. Exh. 28	6/17/04	Email string between Teresa Berntsen, Heidi Ensign and Randy Reynolds regarding notice to stakeholders 105 #04-15 price postings	X		
212.	RTC 6104-6107	7/26/04	Joint Defense Agreement		X	
213.	RTC 931-	7/29/04	Email from Lorraine Lee to	X		

	933/Dep. Exh. 18		Roxie Studer-Eldred and others regarding "Updated Map," with two maps attached.			
214.	COSTCO 3580-3635	8/29/04	Costco Annual Report	X		
215.			Blank			
216.	RTC 1017	9/24/04	Email from Lorraine Lee to Rick Garza regarding solution to small wineries and distributors		X	
217.			Blank			
218.	RTC 48-51	10/04	WSLCB Supplier and Distributor Price Posting System	X		
219.			Blank			
220.	RTC 1022-1025/Dep. Exh. 202	10/31/04	Email from Katie Jacoy and attached letter		X	
221.		11/10/04	LCB Board Meeting Minutes	X		
222.	RTC 625-626/Dep. Exh. 238	11/17/04	Email from Randy S. Reynolds to Phil Wayt regarding "use of common carriers"		X	
223.	Wayt 7121/Dep. Exh. 239	11/19/04	Email from Phil Wayt to Randy S. Reynolds regarding "use of common carriers"		X	
224.	RTC 706-707/Dep. Exh. 44	12/8/04	Memo from Heidi Whisman and Steve Burnell to Board Members Long, Ing and Hoen regarding "Wine Strategy 7...."	X		
225.	WSA 1346-1348	12/8/04	Minutes of WSLCB Meeting	X		
226.	RTC 6801-6803	12/15/04	Memorandum from Steve Burnell, Wine Program Manager to All Stores and Contract Liquor Stores regarding Merchandise Bulletin #68	X		
227.		12/17/04	Answers and Objections of Intervenor-Defendant Washington Beer and Wine Wholesalers Association to Plaintiff's First Interrogatories	X		
228.	Dep. Exh. 2	12/17/04	Defendants' Answers and Objections to Plaintiff's Interrogatories	X		
229.	RTC 5818-	1/05	Substance Abuse and Mental	X		

	5826/Dep. Exh. 170		Health Services Administration (SAMHSA), Office of Applied Studies (OAS). "2003 State Estimates of Substance Use, Chap. 3 Alcohol Use"			
230.		1/05	Substance Abuse and Mental Health Services Administration (SAMHSA), Office of Applied Studies (OAS). "2002-2003 State Estimates of Substance Use, Alcohol Tables from Appendix B"	X		
231.	Dep. Exh. 11	1/25/05	Responses and Objections of Defendants to Plaintiff's First Document Requests	X		
232.		2/2/05	LCB Board Meeting Minutes	X		
233.	RTC 5816-5817	2/14/05	Email from Sharon Michael to Randy Reynolds, John House, Steven K. Burnell, re "New study ranks drug alcohol use in nation"		X	
234.		4/13/05	Fiscal Note on Liquor retail business plan (SHB 1379)	X		
235.	Dep. Exh. 19	5/05	Alaska Amber Ale, Alaska Brewing Co., Producer Price Posting	X		
236.	Dep. Exh. 20	5/05	Alaska Amber Ale, Alaska Distributors Co., Distributor Price Posting	X		
237.	Dep. Exh. 171	6/05	Chaloupka Nebraska_data.xls	X		
238.		6/05	Chaloupka Delaware_data.xls	X		
239.		6/3/05	Expert Report of Keith Leffler	X		
240.		7/1/05	Expert Report of Michael J. Moore	X		
241.		7/1/05	Reply Report of Keith Leffler	X		
242.	Dep. Exh. 160	7/05	July 2005 Spirit Values and Wine Values		X	
243.		7/05	Schedule of Beer/Wine Distributor's Prices to Retailers	X		
244.		8/1/05	Defendants' Responses and Objections to Plaintiff's Requests	X		

			for Admission to WSLCB Defendants			
245.	Dep. Exh. 288	8/1/05	Answers and Objections of Defendants to Plaintiff's Second Interrogatories to WSLCB Defendants	X		
246.		8/8/05	LCB Media Release, Washington Wine Month	X		
247.		8/19/05	Sunday Sales Media Release	X		
248.		2/06	WSLCB Regular Price List	X		
249.		2/06	WSLCB Close-Out - Discontinued Price List	X		
250.		2/06	Alaska Amber Ale, Alaska Brewing Co., Producer Price Posting	X		
251.		2/06	Alaska Amber Ale, Alaska Distributors Co., Distributor Price Posting	X		
252.		3/06	WSLCB Regular Price List	X		
253.		3/06	WSLCB Close-Out - Discontinued Price List	X		
254.	WBW 3746-3781	8/94	F.O.B Bible; Breweries Brands / Packages Pricing Schedules; Paul Cramton Pricing Bibles		X	
255.	WBW 3650-3696	10/94	F.O.B Bible; Breweries Brands / Packages Pricing Schedules; Paul Cramton Pricing Bibles		X	
256.	WBW 3608-3626	6/96	"The Cramton Report" Beer Sales Manager's Bible; Top 20 Micro-Breweries		X	
257.	WBW 103735-103759	8/99	"The Cramton Report" Beer Sales Manager's Bible; Top 20 Micro-Breweries		X	
258.	WBW 103960-103987	5/00	"The Cramton Report" Beer Sales Manager's Bible; Top 20 Micro-Breweries		X	
259.	WBW 103808-103836	8/00	"The Cramton Report" Beer Sales Manager's Bible; Top 20 Micro-Breweries		X	
260.	WBW 3700-3719	8/94	"The Cramton Report" Beer Sales Manager's Bible		X	
261.	WBW 103760-103780	3/98	"The Cramton Report" Beer Sales Manager's Bible		X	

262.	WBW 103892- 103906	8/99	"The Cramton Report" Beer Sales Manager's Bible		X	
263.	WBW 103988- 104014	5/00	"The Cramton Report" Beer Sales Manager's Bible		X	
264.	WBW 103837- 103863	8/00	"The Cramton Report" Beer Sales Manager's Bible		X	
265.	WBW 103864- 103891	1/00	"The Cramton Report" Beer Sales Manager's Bible		X	
266.	WBW 103930- 103959	12/02	"The Cramton Report" Beer Sales Manager's Bible		X	
267.			Blank			
268.	WBW 103907- 103929	3/03	"The Cramton Report" Beer Sales Manager's Bible		X	
269.	RTC 8356- 8357	7/1/86 to 6/30/87	LCB Report of Operations July 1, 1986 to June 30, 1987	X		
270.	DIST 344- 370	4/00	"The Cramton Report" Beer Sales Manager's Bible		X	
271.	DIST 237- 263	7/00	"The Cramton Report" Beer Sales Manager's Bible		X	
272.	DIST 156- 182	10/00	"The Cramton Report" Beer Sales Manager's Bible		X	
273.	DIST 1069- 1096	1/01	"The Cramton Report" Beer Sales Manager's Bible		X	
274.	DIST 982- 1010	4/01	"The Cramton Report" Beer Sales Manager's Bible		X	
275.	DIST 895- 923	7/01	"The Cramton Report" Beer Sales Manager's Bible		X	
276.	DIST 808- 836	10/01	"The Cramton Report" Beer Sales Manager's Bible		X	
277.	DIST 1661- 1687	1/02	"The Cramton Report" Beer Sales Manager's Bible		X	
278.	DIST 1634- 1660	4/02	"The Cramton Report" Beer Sales Manager's Bible		X	
279.	DIST 1556- 1577	7/02	"The Cramton Report" Beer Sales Manager's Bible		X	
280.	DIST 1487- 1505	10/02	"The Cramton Report" Beer Sales Manager's Bible		X	
281.	DIST 2073-	4/03	"The Cramton Report" Beer		X	

	2094		Sales Manager's Bible			
282.	DIST 2118-2139	6/03	"The Cramton Report" Beer Sales Manager's Bible		X	
283.	DIST 2179-2197	12/03	"The Cramton Report" Beer Sales Manager's Bible		X	
284.	DIST 728-753	1/00	"The Cramton Report" Beer Sales Manager's Bible; Top 20 Micro-Breweries		X	
285.	DIST 647-674	4/00	"The Cramton Report" Beer Sales Manager's Bible; Top 20 Micro-Breweries		X	
286.	DIST 561-589	7/00	"The Cramton Report" Beer Sales Manager's Bible; Top 20 Micro-Breweries		X	
287.	DIST 484-513	10/00	"The Cramton Report" Beer Sales Manager's Bible; Top 20 Micro-Breweries		X	
288.	DIST 1399-1429	1/01	"The Cramton Report" Beer Sales Manager's Bible; Top 20 Micro-Breweries		X	
289.	DIST 1306-1335	4/01	"The Cramton Report" Beer Sales Manager's Bible; Top 20 Micro-Breweries		X	
290.	DIST 1237-1271	8/01	"The Cramton Report" Beer Sales Manager's Bible; Top 20 Micro-Breweries		X	
291.	DIST 1167-1201	10/01	"The Cramton Report" Beer Sales Manager's Bible; Top 20 Micro-Breweries		X	
292.	DIST 1998-2028	1/02	"The Cramton Report" Beer Sales Manager's Bible; Top 20 Micro-Breweries		X	
293.	DIST 1907-1937	4/02	"The Cramton Report" Beer Sales Manager's Bible; Top 20 Micro-Breweries		X	
294.	DIST 1814-1845	7/02	"The Cramton Report" Beer Sales Manager's Bible; Top 20 Micro-Breweries		X	
295.	DIST 1720-1751	11/02	"The Cramton Report" Beer Sales Manager's Bible; Top 20 Micro-Breweries		X	
296.	DIST 2029-2060	1/03	"The Cramton Report" Beer Sales Manager's Bible; Top 20 Micro-Breweries		X	

297.	DIST 2061-2072	4/03	"The Cramton Report" Beer Sales Manager's Bible; Top 20 Micro-Breweries		X	
298.	DIST 0043-0061	2/18/ 92	Distributors Agreement between Redhook Ale and K&L Distributors [CONFIDENTIAL]		X	
299.	DIST 6494-6518	4/30/96	Distribution Agreement between Boston Beer Co. and Stein Distributing [CONFIDENTIAL]		X	
300.	DIST 3859-3905	7/10/97	Anheuser-Busch Wholesaler Equity Agreement with Sound Beverage Distributors [CONFIDENTIAL]		X	
301.	DIST 2455-2469	4/1/99	Distributor Agreement between Stimson Lane Ltd. and Columbia Distributing Co. [CONFIDENTIAL]		X	
302.	DIST 3538-3562	6/3/00	Heineken USA Distributor Agreement with Sound Beverage Distributing of Everett, covering Heineken and Amstel beers [CONFIDENTIAL]		X	
303.	DIST 2489-2506	9/25/02	Distributors Agreement between Barton Beers and K&L Distributors, covering Corona and St. Pauli beers [CONFIDENTIAL]		X	
304.	DIST 6804-6818	5/5/04	Distribution Agreement between House of Banfi and Alaska Distributors [CONFIDENTIAL]		X	
305.	DIST 6643-6677	3/05-4/05	Invoices from Alaska Distributors to the LCB [CONFIDENTIAL]	X		
306.		3/1/05	Distributor Beer Price Postings with the LCB for March 2005	X		
307.		3/1/05	Distributor Wine Price Postings with the LCB for March 2005	X		
308.		10/14/05	Washington Wine Institute's Amicus Brief in Response to Defendant's and Intervenor's Response to Plaintiff's Motion for Partial Summary Judgment on Plaintiff's Direct Shipping Claim and Declaration of Robin		X	



			Pollard in support thereof			
309.		3/23/95	CD of Transcript of Recorded Hearing, Senate Labor, Commerce and Trade Committee		X	
310.			Former Chapter 10 Calif Bus. & Prof. Code	X		
311.			Former Chapter 11 Calif Bus. & Prof. Code	X		
312.			Former California Price Posting Statutes	X		
313.		9/23/04	U.S. Supreme Court Brief of Amici Curiae States of California, Washington, New Mexico, Oregon and West Virginia in Support of Respondents in <u>Granholt v. Heald</u>		X	
314.		3/6/06	Per Capita (14+) Ethanol Consumption in California and Washington	X		
315.			CDC Comparisons, 18-24 year olds, 2004	X		
316.			Alcohol Fatality Rates per 100 million VMT in CA and WA, 1982-2003	X		
317.			CA beverage specific regressions - tables graphs notes data	X		
318.		1934	NRA Code on Alcoholic Beverages	X		
319.	RTC 7760	9/13/88	Letter from Phil Wayt, WBWWA to Carter Mitchell, LCB Public Info Officer regarding COD requirement on deliveries		X	
320.	WBW 103300-103301	3/1/94	Letter from Phil Wayt, WBWWA to Joe McGavick, WSLCB Chairman regarding proposal on postings		X	
321.	RTC 2938	10/27/70	WSLCB Press Release regarding direct mail advertising	X		

**Exhibit B**

By stipulating to admissibility below, Costco does not stipulate to admissibility for all purposes, but only to admissibility on at least one ground (such as documenting an historical event or that the LCB or Legislature took a particular position), and does not stipulate to admissibility of partial documents if Costco should later determine that additional portions must be included to avoid making the exhibit misleading. Defendants have agreed to cooperate in review of the missing pages. Costco specifically reserves the right to contest use of an exhibit to prove the truth of any particular matter asserted in the document, such as where a document includes various levels of hearsay or opinion.

ID	Prod. Or Dep. Ex. No.	Date	Description	A <sup>5</sup>	B <sup>6</sup>	C <sup>7</sup>
400.		1/12/34	Journal of the Senate, Fortieth Day. Pages 306-313.	X		
401.	RTC 2607-2639	1/23/34	Washington State Liquor Act, Chapter 62	X		
402.		1/23/34	Chapter 62 Laws Extraordinary Session, 1933. Washington State Liquor Act.	X		
403.		1/23/34	Governor's Messages on Bills Vetoeed. Veto of line item 3 of Section 64 relating to Liquor Control Board members.	X		
404.	RTC 2589	4/9/34	Bulletin No. 5 regarding Notice by the Board that it designated two shipping companies to use to ship liquor; Byres Transfer & Warehouse in Seattle and Goodwin Transfer Co in Spokane.	X		
405.	RTC 8232-	5/8/34	Letter from G.W. Hamilton,	X		

<sup>5</sup> Admissibility and authenticity stipulated.

<sup>6</sup> Authenticity stipulated but admissibility disputed.

<sup>7</sup> Authenticity and admissibility disputed.

	8233		Attorney General to WSLCB.			
406.	RTC 2594-2595	6/5/34	Bulletin No. 12 regarding removal of Exterior Signs from Beer and Wine Dispensaries.	X		
407.	RTC 2597-2600	10/31/34	Bulletin No. 6 (Amended) regarding Rules and Regulations of the Washington State Liquor Act concerning Retail Beer and/or Wine Dispensaries.	X		
408.	RTC 2602-2605	10/31/34	Bulletin No. 7 (Amended) regarding Rules and Regulations of the Washington State Liquor Act concerning Brewers and Beer Wholesalers.	X		
409.	RTC 2696-2697	11/1/34	Washington State Liquor Control Board, Bulletin No. 6 (Amended) Rules and Regulations.	X		
410.	RTC 2786	7/19/35	New Section 35 to Amend Brewers and Beer Wholesalers Regulations.	X		
411.	RTC 2787	8/1/35	New Section 34 to amend brewers and beer wholesalers' regulations.	X		
412.	RTC 2073, 2076-2077	9/30/35	2 <sup>nd</sup> Report of WSLCB, January 1 to September 30, 1935, Cover, table and pages 5, 6, 12, 13, 14, 19, 20.	X		
413.	RTC 2641-2690	10/1/35	Washington State Liquor Act as Amended by Laws of 1935 With Revised Rules and Regulations. Pages 2-96.	X		
414.	RTC 2789-2799	10/1/35	Revised Rules & Regulations A. Retail Beer and/or Wine Dispensaries, pages 1, 5 B. Brewers and Beer Wholesalers, pages 7, 8, 16 F. Advertising, pages 23, 24	X		

			I. Domestic Wineries, pages 32, 33, 34.			
415.	RTC 2804-2806	11/1/35	Reg. No. 31: Brewers & Beer Wholesalers passed 11/1/35.	X		
416.	RTC 6686	9/30/36	3 <sup>rd</sup> Report of WSLCB, October 1, 1935 to September 30, 1936. Cover, table and pages 5, 6, 7, 8, 9, 21, 22, 23, 24.	X		
417.	RTC 1586-1587	11/17/36	Bulletin No. 19 from W.J. Lindberg to All Brewers & Beer Wholesalers regarding Quantity Prices and Discounts - "Trade Areas"	X		
418.	RTC 2808-2811	6/24/37	Title VI: Domestic Wholesalers, passed 6/24/37.	X		
419.	RTC 2813-2823	8/27/37	Title I To Title XI: General, Beer & Wine Dispensaries, Rectifiers, Importers, Public Storage, Clubs, Advertising, passed 8/27/37.	X		
420.	RTC 8244-8246	9/30/37	4 <sup>th</sup> LCB Report, October 1, 1936 to September 30, 1937. Cover, table and pages 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17.	X		
421.	RTC 2082-2088; RTC 8252	9/30/38	5 <sup>th</sup> LCB Report, October 1, 1937 to September 30, 1938. Cover, table and pages 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17.	X		
422.	RTC 2825-2828	12/22/38	Amendment to Regulation number 49 Price Posting.	X		
423.	RTC 2830-2835	7/1/39	Amendment to Regulation number 49 Price Posting - Filing Contracts.	X		
424.	RTC 2837-2848	9/13/39	Title I To Title IX: General, Beer & Wine, Wholesalers, Importers, Wineries, Distillers, Clubs, Advertising, Public Storage passed 9/13/39.	X		

425.	RTC 2089-2090 RTC 8253-8257	9/30/39	6 <sup>th</sup> Report of the WSLCB, October 1, 1938 to September 30, 1939, pages 5, 10, 11, 12, 13, 14, 15.	X		
426.	RTC 2091-2092 RTC 8258-8261	9/30/40	7 <sup>th</sup> Report of the WSLCB, October 1, 1939 to September 30, 1940, pages 5, 6, 7, 8, 9, 20, 21.	X		
427.	RTC 1599	5/8/41	Bulletin No. 28 from L.E. Gregory to All Washington State Brewers, Out of State Brewers, and Beer Wholesalers regarding selling of Beer by Some Brewers to Licensed Beer Wholesalers Under the Lawrence Warehouse System.	X		
428.	RTC 2850-2856	7/15/41	Reg. 20, 61 to 67, 69 to 81, 127: Closing Hours, Premises, Wine & Labeling Price Posting passed 7/15/41.	X		
429.	RTC 8264-8265A	9/30/41	8 <sup>th</sup> LCB Report, pages 5, 6, 7.	X		
430.	RTC 1598	4/24/42	Bulletin No. 35 from Thomas G. Jordan to All Wholesale Licensees regarding Deliveries to Unauthorized Additional Storage Facilities.	X		
431.	RTC 8266-8267	9/30/42	9 <sup>th</sup> LCB Report, page Report on Operations.	X		
432.	RTC 8268-8269	9/30/43	10 <sup>th</sup> LCB Report, page Report on Operations, 4, 5, 12, 13.	X		
433.	RTC 2858-2861	8/24/44	Reg. 41, 51-A, 77: Cash Purchases/Exemptions, passed 8/24/44.	X		
434.	RTC 2863-2867	10/13/44	Reg. 44-D, 41-E, 133: Posted Price, Wine Purchase Requirements, Transportation Through State Permit, passed 10/13/44.	X		

435.	RTC 1597	3/14/45	Bulletin No. 43 (this Bulletin supersedes Bulletin No. 35 dated April 24, 1942) from L.E. Gregory to All Wholesale Licensees re Deliveries to Unauthorized Additional Storage Facilities.	X		
436.	RTC 2698-2716	11/2/48	State of WA, A Pamphlet Containing: Initiative Measure No. 169, Initiative Measure No. 171, Initiative Measure No. 172, Initiative to the Legislature No. 13, and Constitutional Amendments.	X		
437.	RTC 2718-2773	6/2/49	Pamphlets containing Revisions to Rules and Regulations of the WA State Liquor Control Board (Revised June 2, 1949). Includes pamphlets from March 22, 1949 and March 2, 1949.	X		
438.	RTC 2869-2872	8/30/49	Reg. 81: Wine Price Posting, passed 8/30/49.	X		
439.	RTC 2874-2881	3/25/52	Reg. 28, 37, 39, 40, 42, 44, 45, 47, 49, 61, 75, 81, 126, 41: Revenue Stamps, Brewers Monthly Reports, Package Classification, Beer Stamps & Proper Affixation, Wholesalers & Importers Records, Sales to Vessels, Domestic Wine, Wine Records, Price Posting, Advertising Out of State Stamps, passed 3/25/52.	X		
440.	RTC 1596	3/10/53	Bulletin No. 74 from Evro M. Becket to Brewers, Beer Wholesalers, Domestic Wineries, and Domestic Wine Wholesalers regarding unauthorized Platform Deliveries.	X		

441.	RTC 8272-8273	9/30/54	21 <sup>st</sup> LCB Report, page Report on Operations.	X		
442.	RTC 2883-2886	3/1/56	Reg 13-C, 16-A, 18 to 23, 25-D, 32-E1, 39, 19-A-B-C, 61-A, 64-B65, 104-106, 110, 111, 114-E-F-G, 118, 124-C-E, 125, 126-F4&5, 126G, Prohibited Practices, View, Lighting, Advertising, passed 3/1/56.	X		
443.	RTC 2888-2893	9/18/57	Reg. 49: Beer Price Posting/Filing, passed 9/18/57.	X		
444.	RTC 8274-8275	6/30/59	26 <sup>th</sup> LCB Report, pages 8, 9.	X		
445.	RTC 2095-2097 RTC 8277	6/30/62	29 <sup>th</sup> Report of the WSLCB, July 1, 1961 to June 30, 1962, pages 19, 20, 21, 22.	X		
446.	RTC 8278-8279	6/30/63	30 <sup>th</sup> LCB Report, pages 18, 19.	X		
447.	RTC 2895-2908	6/11/69	Reg. 32, 57, 73, 75, 78, 81, 83, 89, 92, 94, 96, 98; WAC 314-12-001, 314-24-003, 314-24-210, 314-36-020, 314-36-110, Out of State Wine, passed 6/11/69.	X		
448.	RTC 8280-8281	6/30/69	36 <sup>th</sup> LCB Report, pages 6, 7, 8, 9, 10, 11, 12, 13, 32, 33.	X		
449.	RTC 2910-2921	8/7/69	Reg. 32, 57, 83, 98; WAC 314-16-160, 314-24-003 through 314-24-210, 314-36-020 through 314-36-110, Wine, passed 8/7/69.	X		
450.	RTC 5218-5219 RTC 8282	6/30/70	37 <sup>th</sup> Report of WSLCB, July 1, 1969 through June 30, 1970, page 8, 10, 11, 12, 13.	X		
451.	RTC 2923-2926	10/27/70	Resolution No. 17. New, amended, or repealed rules on advertising. Chapter 314-52 WAC.		X	

452.	RTC 3018	4/15/71	Memo from I. W. (Bob) Hilson to Leroy M. Hittle regarding Suggested drafts of amendments to Regulations 81 and 82.	X		
453.	RTC 3013-3014	4/21/71	Letter from WSLCB to Vernon L. Lindskog re Petitions of the WA Beer and Wine Wholesalers Association, Inc. for amendment of Rules (49) and (81).		X	
454.	RTC 2970-2989	5/31/71	Reg. 49, 49.5, 82; WAC 314-20-100, 314-20-105, 314-24-190, 314-24-200, Beer & Wine Price Posting, passed 5/13/71.	X		
455.	RTC 8284-8285	6/30/71	38 <sup>th</sup> LCB Report, pages 10, 11.	X		
456.	RTC 1595	9/2/71	Bulletin No. 74 (Revised) from I.W. (Bob) Hilson to All Beer and/or Wine Wholesalers regarding unauthorized Platform Deliveries.	X		
457.	RTC 3054	10/27/71	Letter from Jack C. Hood to Vernon Lindskog acknowledging receipt of petitions of the WA Beer and Wine Wholesalers Assoc. seeking amendment of Rule (49) and Rule (81).	X		
458.	RTC 3047-3052	1/12/72	Memo from Leroy Hittle to Art Mickey regarding Beer and Wine Wholesalers Petitions for platform delivery of beer and wine to licensed retailers.	X		
459.	RTC 1592-1593	2/7/72	Bulletin No. 105 from I.W. (Bob) Hilson to All Beer and/Or Wine Wholesalers re Reminder that Regulations (49) and (81) will become effective Monday, February 14, 1972.	X		
460.	RTC 2581-2582	2/24/72	Petition for the Repeal or Amendment of Rule and	X		



			Regulation of the Washington State Liquor Control Board No. 48 (WAC 314-20-090).			
461.	RTC 2584	3/7/72	Letter from Jack C. Hood to Thad G. McGlinn regarding acknowledgment of receipt of Petition to Amend Rule (48).	X		
462.	RTC 2565	4/3/72	Letter from John W. Huddleson to I.W. Hilson regarding proposed amendments to the present cash regulations, (32), (2), (48) and (77).	X		
463.	RTC 2101, 2103, 2106	6/30/72	39 <sup>th</sup> Report of WSLCB, July 1, 1971 to June 30, 1972, pages 10, 13.	X		
464.	RTC 6058- 6060	9/5/72	Letter to Jack C. Hood, LCB Chairman from William A. Roberts on amendment of Rules 32, 48 and 77.	X		
465.	RTC 2544- 2545	9/18/72	Letter from William A. Roberts to Jack C. Hood regarding amendment or Repeal of Rules 32, 48, 77 or the Washington State Liquor Control Board.	X		
466.	RTC 2543	9/21/72	Memo from I.W. (Bob) Hilson to Chairman Jack Hood regarding comment on Letter from Attorney William Roberts (Teamsters' Union), dated September 18, 1972, regarding Cash Regulations.	X		
467.	RTC 2542	9/29/72	Memo from I.W. (Bob) Hilson to Legal Division regarding proposed changes in "cash" regulation (to permit wholesalers to extend credit to retailers).	X		
468.	RTC 6016- 6017	12/5/72	Notice of Intention to Adopt, Amend or Repeal Rules. Rule 15 - Near Beer and Rule 32 - Records.	X		

469.	RTC 3090	12/8/72	Petition from Walla Walla retail licensees to Jack Hood regarding Opposition to changes to the present law to permit wholesalers to extend credit.	X		
470.	RTC 3094-3095	12/14/72	Letter from E. A. Thompson to WSLCB regarding favor of abolishing the regulation requiring payment of cash.	X		
471.	RTC 3088-3089	12/18/72	Memo from Arthur Mickey to Jack Hood regarding rules (32), (48) and (77).	X		
472.	RTC 4628-4632	2/22/73	AGLO 1973 No. 28, from Philip H. Austin, Deputy AG to Jack C. Hood, LCB Chairman regarding Opinion response to question, "Does RCW 66.28.010 prohibit a [liquor] manufacturer or wholesaler from extending thirty days credit on sales of liquor to retail licensees?"	X		
473.	RTC 3075-3080	6/28/73	Resolution 33, to adopt amended Rules 32, 48, 77 regarding records, Purchases, Reports Cash Sales, as permanent rules.	X		
474.	RTC 8286-8287	6/30/76	43 <sup>rd</sup> LCB Report, pages Summary & Organization Chart.	X		
475.	RTC 3283-3288	12/14/76	Meeting minutes of Special Meeting of WSLCB, Public meeting re amendment of Rules (49), (49.5), (81) and (82), Price Posting and Price Filing.	X		
476.	RTC 3822-3822A	3/22/77	Verbatim report from Public Hearing concerning the repeal or amendment of Rules (49), (49.5), (81), (82), (126) and (126.2).	X		
477.	RTC 3802	4/18/77	Memo from Bob Hilson to WSLCB regarding beer and Wine Price Posting Regulations	X		

			(49), (49.5), (81), (82).			
478.	RTC 8214-8219	4/28/77	AGLO 1977 No. 19 on FTC standing or authority to petition WSLCB to amend or repeal regulations adopted by the Board.	X		
479.	RTC 3481-3490	5/5/77	WAC 314-20-100, 314-2-105, 314-24-190, 314-24-200: Beer & Wine Price Filing and Price Posting, passed 5/24/77.	X		
480.	RTC 2121-2122	6/30/77	44th Report of WSLCB, July 1, 1976 to June 30, 1977, page 27.	X		
481.	RTC 3919-3959	1/19/78	Resolution 71: Adopting changes to Rules (49) & (81), Beer & Wine Wholesale Price Posting.	X		
482.	RTC 2123-2124	6/30/78	45 <sup>th</sup> Report of WSLCB, July 1, 1977 to June 30, 1978, page 28.	X		
483.	RTC 1590	7/13/78	Bulletin No. 123 from I.W. (Bob) Hilson to Brewers, Domestic Wineries, Beer and Wine Wholesalers regarding new Beer and Wine Purchase Permit System in Effect.	X		
484.	RTC 8288-8289	6/30/79	46 <sup>th</sup> LCB Report, page Report of Operations.	X		
485.	RTC 8290-8291	6/30/80	47 <sup>th</sup> LCB Report, pages 10, 11.	X		
486.	RTC 3997-3999	10/28/81	Amending Order 62: WAC 314-24-190 Wine Wholesale Price Posting Amending Order 54: WAC 314-24-200 Wine Suppliers' Price Filings, Contracts and Memoranda.		X	
487.	RTC 4056-4064	5/5/82	Notice of Intention to Adopt, Amend, or Repeal Rules. Public Meeting to be held 6/23/82 regarding Proposed Changes to Beer & Wine Wholesale Price Posting, and Beer & Wine	X		

			Suppliers' Price Filings, Contracts and Memoranda.			
488.	RTC 4065	5/10/82	WSLCB Notice of Public Hearing to be held June 23, 1982 to consider amendment to rules governing Beer & Wine Wholesale Price Posting, and Beer & Wine Suppliers' Price Filings, Contracts and Memoranda.	X		
489.	RTC 2125-2127	6/30/82	49 <sup>th</sup> Report of WSLCB, July 1, 1981 to June 30, 1982, pages 30, 31.	X		
490.	RTC 4037-4043	7/7/82	Resolution 100 regarding adoption of annexed rules relating to Beer & Wine Wholesale Price Posting, and Beer & Wine Suppliers' Price Filings, Contracts and Memoranda.	X		
491.	RTC 4044	7/7/82	Verbatim report from continuation of Public Hearing regarding Proposed amendments to rules concerning Price Posting and Beer and Wine Suppliers' Price Filings, Contracts and Memoranda.	X		
492.	RTC 4045	6/24/83	WSLCB Press Release regarding Price Posting Rule Change Deferred.	X		
493.	RTC 8292-8293	6/30/83	50 <sup>th</sup> LCB Report, pages 6, 7, 8, 9.	X		
494.	RTC 5961-5964	1/16/84	Senate Bill No. 4503. An act relating to alcoholic beverages; and adding a new section to ch 62, laws of 1933 ex. Sess. and to ch 66.24 RCW.	X		
495.	RTC 8294-8295	6/30/84	51 <sup>st</sup> LCB Report, pages 26, 27.	X		
496.	RTC 4100	10/11/84	WSLCB Notice of Public Hearing to be held November 7, 1984 to consider amendment to rules governing Prohibited	X		

			Practices – Contracts – Gifts – Rebates, etc.			
497.	RTC 8296-8297	6/30/85	52 <sup>nd</sup> LCB Report, pages 28, 29.	X		
498.	RTC 4117	9/11/85	WSLCB Notice of Public Hearing to be held October 9, 1985 to consider amendment to rules governing Beer Wholesale Price Posting, and Beer Suppliers' Price Filings, Contracts and Memoranda.	X		
499.	RTC 4115-4116	10/10/85	M.I.W. Bulletin No. 138 Change in Posting Dates Which Go Into Effect January 1, 1986.	X		
500.	RTC 4152	8/8/86	WSLCB Notice of Public Hearing to be held August 5, 1986 to consider amendment to rules governing Beer & Wine Wholesale Price Posting, and Beer & Wine Suppliers' Price Filings, Contracts and Memoranda, Advertising by Retail Licensees, Offering for Sale, or Selling Beer, Wine or Spirituous Liquor at Less than Cost – Prohibited – Exceptions.	X		
501.	RTC 1571-1572	10/29/87	M.I.W. Bulletin 127 from Janice Lee Britt to All Beer and Wine Wholesalers regarding Extension of Credit on Soft Drinks and Bottled Waters-- Prohibited by Beer and Wine Manufacturers.	X		
502.	RTC 6111-6113	4/25/88	Memo from Joan Elgee, Staff Counsel to Representative Art Wang, Chair Commerce & Labor Committee regarding Possible Liquor Study Issues.	X		
503.	RTC 7816-7817	4/25/88	Memo from Joan Elgee, Staff Counsel to Members of Commerce & Labor Committee regarding Previous Liquor	X		

			Studies.			
504.	RTC 7821-7822	7/25/88	Memo from James E. Hoing, Controller to Carter Mitchell, Public Info Officer regarding selected data.	X		
505.	RTC 7776-7777	7/28/88	Letter from Carter Mitchell, LCB Public Info Officer to The Honorable Art Wang, Chairman House Commerce and Labor Committee regarding profitability of LCB beer and wine sales.	X		
506.	RTC 1568	8/24/88	Revised M.I.W. Bulletin 127 from Janice Lee Britt to All Beer and Wine Wholesalers regarding Extension of Credit on Soft Drinks and Bottled Waters--To Retailers--Prohibited by Beer and Wine Manufacturers.	X		
507.	RTC 8298-8299	6/30/89	56th LCB Report, page 11.	X		
508.	WBW-004530-4533	10/11/90	WSLCB Proposed Rule Making on WAC 314-52-015 General Liquor Advertising.	X		
509.	WBW-004527	10/30/90	WSLCB Public Hearing Notice on Advertising Regulations to be Considered.	X		
510.	WBW-004238-4244	11/26/90	Letter from DeWitt F. Helm, Jr., Assoc. of National Advertisers, Inc. to Carter Mitchell, LCB Public Information Officer regarding proposed changes to alcohol advertising.	X		
511.	RTC 2128-2130	6/30/91	WSLCB Report of Operations, July 1, 1990 to June 30, 1991, pages 14, 15.	X		
512.	RTC 1464-1465	4/16/92	Letter from Elaine H. Brewer, Pricing Administrator Brown-Forman Beverage Co. to Janice Lee Britt, Supervisor MIW	X		

			WSLCB regarding Wine Supplier Price Schedule.			
513.	RTC 2131-2132	6/30/92	WSLCB Report of Operations, July 1, 1991 to June 30, 1992, page 14.	X		
514.	RTC 2134-2135	6/30/93	WSLCB Report of Operations, July 1, 1992 to June 30, 1993, page 71.	X		
515.	RTC 8300-8301	6/30/93	60 <sup>th</sup> LCB Report, page 8.	X		
516.	RTC 4321	11/8/93	Memo from Jack Rabourn to Carter Mitchell regarding Gary Hogue's call strongly opposing proposed changes in price posting.	X		
517.	RTC 2136-2137	6/30/94	WSLCB Report of Operations, July 1, 1993 to June 30, 1994, pages 5, 69, 75.	X		
518.	RTC 6202-6204	8/23/94	Partial copy of report 1995 Proposed Legislation – Regulatory Services Section 3. RCW 66.28.180 legislation on price posting.	X		
519.	RTC 8001-8002	1/01/95	Handout of WSLCB 1995 Request Legislation – Bill Classification: Category B. Z-0196.1/95: Price Postings – RCW 66.28.180	X		
520.	RTC 8026-8032	1/01/95	Draft copies of RTC 8001-02 with handwritten notes.	X		
521.	RTC 5967-5972	4/17/95	Memo to The Board, From Carter, regarding addendum to Rule Making Request from Washington Wine Institute	X		
522.	RTC 4454-4455	6/20/95	Draft letter from Joseph McGavick to Senator Jim West regarding WAC 314-24-220 and the WA Wine Institute's petition		X	

			for amendatory rule-making by the WSLCB			
523.	RTC 5999-6004	8/16/95	WSLCB Minutes on Rule Making Action, Amend WAC 314-24-220, removal of wine from bonded warehouses.	X		
524.	RTC 4385	8/21/95	Letter from Joseph McGavick regarding Withdrawal of WSR 95-13-096 regarding Removal of wine from a bonded wine warehouse.	X		
525.	RTC 4498	4/1/96	WSLCB Press Release regarding notice of Public Hearing on April 24, 1996 to consider changes to WAC 314-20-100, WAC 314-24-190 allowing an increase in posting prices for ferry tolls and travel time to remote locations, and WAC 314-24-220 allowing wine under federal bond and wine which is taxed to be stored separately in the same warehouse.	X		
526.	RTC 4485	5/13/96	Letter from Nathan Ford Jr. to Dennis Cooper requesting the publishing of notice of WSLCB's withdrawal of proposed changes to WAC 314-20-100 and 314-24-190.	X		
527.	RTC 5191-5197	10/30/96	WSLCB Meeting Minutes. Dave Goyette presented the Price Posting Proposal.	X		
528.	RTC 2144-2147	6/30/97	WSLCB Report of Operations, July 1, 1996 to June 30, 1997, pages 65-67.	X		
529.	RTC 5288-5290	11/12/97	WSLCB Guiding Principles Concerning the Chronic Public Inebriate, Neighborhood Livability and Cooperation with Local Communities.	X		



530.	RTC 5294	12/17/97	Memo from Nathan Ford Jr. and Jesse Farias regarding limiting the allowable blood alcohol content for drivers to .08 percent.	X		
531.	BAR00000 0000427- 438	11/19/98	Minutes from Three Tier System Review Panel Meeting.	X		
532.	RTC 4855	2/24/99	E-mail from Fred Bowman to Rules regarding Proposed Rule Making.	X		
533.	RTC 1448- 1453	7/2/99	Report of Complaint Invoice Attachments Complaint No. 993M025.	X		
534.	LCB 171, 173-177	8/25/99	Three-Tier System Review Panel Materials.	X		
535.	RTC 4879- 4881	5/31/00	Verbatim minutes from WSLCB Public Hearing regarding Proposed Rules Regarding Payment of Beer and Wine Taxes by Non-Retail Licensees.	X		
536.	RTC 4954	6/12/00	Memo from Teresa Berntsen to Eugene Prince, Vera Ing and Katherine Kreiter regarding Approval to File 103 on Proposed Chapter Regarding Beer and Wine Tax.	X		
537.	RTC 4901- 4903	6/21/00	WSLCB Notice of Revised Rules Regarding Washington State Beer and Wine Taxes.	X		
538.	RTC 7632- 7633	6/30/00	67 <sup>th</sup> WSLCB Report.	X		
539.	RTC 6234- 6236	2/12/01	WSLCB Legislative Update by Rick Garza, Legislative Liaison. Reviews bills affecting the WSLCB.	X		
540.	RTC 1470- 1472	4/25/01	E-Mail chain last is from Randy S. Reynolds, LCB to Rick Steckler, Columbia Distributing,	X		

			regarding Edward Int'l subjob.			
541.	RTC 1395	5/9/01	Type of Administrative Action – Violation Warning Notice (Liquor)  Investigative Summary  Report of Complaint  Case No. 016B034.	X		
542.	RTC 1393	2/1/02	Type of Administrative Action – Written Warning  Case No. 03-6A-001.	X		
543.	RTC 1376	2/11/02	Administrative Violation Notice – First-time Violations Standard Penalty. Case No. 026C010.	X		
544.	RTC 1565	4/19/02	E-mail from Randy Reynolds to Phil Wayt regarding Retailers not paying distributors at time of delivery.	X		
545.	RTC 1430- 1432	11/1/02	Report of Complaint  Type of Administrative Action – Written Warning Notice  Liquor Enforcement Project Tracking  Case No. 026B051.	X		
546.	LCB 911- 913	1/1/03	Alcohol Impact Area Rules.	X		
547.	RTC 1392	1/8/03	Type of Administrative Action – Written Warning  Case No. 02-6A-041.	X		
548.	RTC 1378	3/6/03	Administrative Violation Notice – First-time Violations Standard Penalty.  Case No. 0306008.	X		
549.	RTC 1394	3/31/03	Type of Administrative Action – Administrative Violation Notice - Liquor	X		

			Case No. 03-6A-015.			
550.	RTC 1379	4/9/03	First-time Violations Standard Penalty. Case No. 036C031.	X		
551.	LCB 929-939	6/17/03	Evaluation of the Tacoma, WA, Alcohol Impact Area (AIA).	X		
552.	RTC 1388	9/23/03	Warning Notice Case No. 036D044.	X		
553.	RTC 1398-1399	10/17/03	Report of Complaint Case No. 03-6A-037.	X		
554.	RTC 1457-1460	11/16/03	Type of Administrative Action – Administrative Violation Notice – Liquor Report of Complaint Case No. 03-6A-042.	X		
555.	RTC 6723-6743	12/01/03	Report: A Comparison of Wine Prices: State Liquor Stores and Major Grocery Chains by SESRC – Puget Sound Division, Dave Pavelchek.	X		
556.	RTC 5685	1/22/04	E-mail from Tim Hogan to Heidi Ensign re Guinness Club Pack Posting.	X		
557.	RTC 1042-1045	1/23/04	E-mail chain ends on top from Randy Reynolds to Lorraine Lee, FW: Follow Up to Guinness.	X		
558.	RTC 1001-1007	1/28/04	E-mail chain ends on top from Dan Levine, K&L Distributors to Randy S. Reynolds, Regarding Your on to something.	X		
559.	RTC 1380	1/28/04	Report of Complaint Complaint No. 046C006.	X		
560.	RTC 1381	1/28/04	Report of Complaint Complaint No. 046C007.	X		
561.	RTC 1382	1/28/04	Report of Complaint	X		

			Complaint No. 046C008.			
562.	RTC 1389	1/29/04	Report of Complaint Complaint No. 04-6A-004.	X		
563.	RTC 1400-1401	1/29/04	Report of Complaint Case No. 04-6A-003.	X		
564.	RTC 1390-1391	2/23/04	Report of Complaint Complaint No. 04-6A-010.	X		
565.	RTC 5578-5580	3/21/04	WSLCB Price Posting System Overview.	X		
566.	RTC 1426-1429	6/2/04	WSLCB Administrative Violation Process Penalty Process Administrative Violation Notice WSLCB Disposition Order Vacating License Suspension Case No. 046B059.	X		
567.	RTC 4552-4553	8/17/04	Memo from Teresa Berntsen to Merritt Long, Vera Ing and Roger Hoen regarding Approval for Proposed Rule Making regarding Beer and Wine Price Postings – August 18, 2004 Board Meeting.	X		
568.	COSTCO 009689-9753	8/29/04	US Securities and Exchange Commission Form 10-K Costco Annual Report.	X		
569.	RTC 4554-4555	9/2/04	WSLCB Notice of Rule Change Beer and Wine Price Postings.	X		
570.	RTC 1363-1369/ Dep. Exh. 200	9/17/04	Governor's Transition Document.	X		
571.	LCB 1092-1093	12/8/04	Memo from Heidi Whisman to Merritt Long, Vera Chan Ing and Roger Hoen regarding Wine Strategy 7 – Retail Pricing	X		

			Implementation Recommendation.			
572.		12/31/04	Costco Sales Data 2004 Sales and Income.		X	
573.	LCB 1056- 1059	12/31/04	WA State Liquor Control Board Strategic Plan 2005-2007.	X		
574.	RTC 5757- 5760; 5771-5776; 5781-5782	12/31/04	Violation Research - Verbal Warnings - Notice to Correct - Written Warnings - Admin Violation.	X		
575.	RTC 5784- 5788	12/31/04	MIW (Manufacturers, Importers, Wholesalers) Violation Research - Complaints.	X		
576.		12/31/04	Alcohol drinking prevalence and consumption graphs by Dr. Frank Chaloupka for years 1999 through 2004.	X		
577.	Dep. Ex. 182	6/2/05	Dr. William J. Rorabaugh Expert Witness Report. Costco Wholesale Corporation v. Hoen, et al. No. CV04-0360P.	X		
578.	RTC 8586- 8601	6/03/05	Report by Dr. Frank Chaloupka Alcohol Report on Delaware, Southern Region, and United States 1980-2003.	X		
579.	RTC 8602- 8617	6/03/05	Report by Dr. Frank Chaloupka Alcohol Report on Nebraska, Midwest, and United States 1970-2003.	X		
580.	Dep. Exh. 172	6/3/05	Expert Report of Dr. Frank J. Chaloupka.	X		
581.	Dep. Ex. 303	6/3/05	Report of Dr. Kenneth L. Casavant. Costco Wholesale Corporation v. Hoen, et al. No. CV04-0360P.	X		
582.	Dep. Ex. 304	6/6/05	Curriculum Vitae of Dr. Kenneth L. Casavant.	X		
583.	Dep. Ex. 181	6/6/05	Curriculum Vitae of Dr. William J. Rorabaugh.	X		
584.	RTC 6061- 6064	6/21/05	Memo from Heidi Whisman, Acting Director Purchasing to Merritt Long, LCB Chairman, Vera Chan Ing, LCB Member,	X		

			Roger Hoen, LCB Member. Regarding Wine Strategy 7 - Retail Pricing Short Term Strategy Update with attachments.			
585.	Dep. Ex. 305	6/30/05	Rebuttal Statement of Dr. Ken Casavant (Rebuttal to Dr. Keith Leffler's Expert Report of 6/3/05.)	X		
586.	Dep. Ex. 168	7/15/05	Curriculum Vitae of Dr. Frank Chaloupka.	X		
587.	RTC 8497- 8514	9/6/05	WSLCB Organizational and Operational Review - Final Report, letter to Governor Gregoire from Gene Brodsky and Executive Summary.	X		
588.	RTC 8618	12/19/05	Memo to Western WA Beer and Wine Distributors from Jeanne Reschan, Liquor Enforcement Officer, regarding meeting to update on retailer relationships.	X		
589.		12/30/05	Licensing Division Policy #310 Sets forth expectations for reviewing price postings for beer/wine products by licensees.	X		
590.		12/31/05	Costco Sales Data 2005 Sales and Income.		X	
591.		2/24/06	Agency Policy #910 Provides expectations for pricing LCB retail products.	X		